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Gary Chacon

2012 MAY 1 AM 11:38 Colorado Springs, CO 80911

OFFICE OF GENERAL
COUNSEL

April 26, 2012

To: Federal Elections Commission
Office of General Council
999 E Street, N.W.
Washington, D.C. 20463

MUR # 6565

RE: Blaha for Congress, Robert Blaha, candidate for Colorado's 5th Congressional District, TV advertising campaign violations.

CC: Federal Communications Commission (FCC), KKTU-TV, KRDO-TV, KOAA-TV, Comcast-TV

Enc: Three requested copies, sworn to and notarized statement attached.

Federal Elections Commission:

I am Gary Chacon, a citizen of Colorado's 5th Congressional District. My address and contact info are printed on the letterhead above.

This notice will serve as my formal federal elections complaint against Congressional Candidate Robert Blaha and his campaign committee 'Blaha for Congress', for a political advertisement currently airing on television in Colorado's 5th Congressional District.

The specific violations of the Federal Election Commission (FEC) laws and regulations are as follows:

- 1) 11CFR 110.11(c)(3)(ii), 11 CFR 110.11(c)(3)(ii)(A), CFR 11.11(c)(3)(ii)(B), and 11 CFR 110.11 (c) (3)(ii)(B)(iii)(A)(B)(C);
- 2) The above referenced CFR section 11 CFR 110, 11 (c) (3)(ii) clearly states that "A communication transmitted through television or through any broadcast, cable, or satellite transmission, must include a statement that identifies the candidate and states that he or she has approved the communication. The candidate shall convey the statement either:
 - (A) Through an unobscured, full-screen view of himself or herself making the statement, or
 - (B) Through a voice-over by himself or herself, accompanied by a clearly identifiable photographic or similar image of the candidate. A photographic or similar image of the candidate shall be clearly identified if it is at least eighty (80) percent of vertical screen height. (iii) A communication transmitted through television or through any broadcast, cable, or satellite transmission, must also include a similar statement that must appear in clearly readable writing at the end of the television communication. To be clearly readable, this statement must meet all of the following three requirements:
 - 1) The statement must appear in letters equal to or greater than four (4) percent of the vertical picture height;

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- 2) The statement must be visible for a period of at least four (4) seconds; and
- 3) The statement must appear with a reasonable degree of color contrast between the background and the text of the statement. A statement satisfies the color contrast requirement of this paragraph (c)(3)(iii)(C) if it is printed in black text on a white background or if the degree of color contrast between the background and the text of the statement is no less than the color contrast between the background and the largest type size used in the communication."

Regarding the television advertisement referenced above being aired by candidate Blaha, it fails to meet the stated legal requirements that:

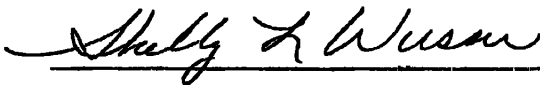
- 1) The disclaimer does not run until the end of the ad because his logo fills up the screen in the final second or two; and
- 2) His disclaimer says "Paid for and approved by Blaha for Congress" when the FEC law and rules state that in addition to the written "paid for" disclaimer... television ads must include written "authorization" line similar to what the candidate says. It must read something to the effect of "paid for by X committee... and approved by X person." As produced and currently being aired, the ad says that his campaign committee both paid for and authorized the communication, when he, the candidate must authorize the communication.

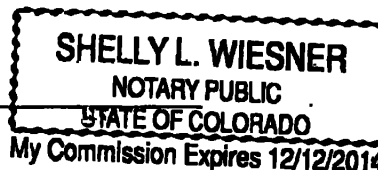
Clearly, the advertisement referenced above violates the spirit and letter of the law regarding federal candidates and I respectfully request that candidate Blaha's advertisements be pulled from all television airings in Colorado's 5th Congressional District.

Sincerely,


Gary Chacon

Signed and sworn to before me a notary public this 26 day of April 2012





EL PASO County

Complainant